

**From:** [Whitescarver, Clarence \(DOB\)](#)  
**To:** [Martin Sullivan](#); [DCRACS \(DCRA\)](#)  
**Cc:** [Ndaw, Mamadou \(DOB\)](#); [Reid, Rohan \(DOB\)](#); [Paul Ijiti](#); [Michael Cross \[rmc|dg\]](#)  
**Subject:** RE: FW: FW: B2210201 | 113 18th ST SE | Clarification of Zoning HFC - Reference No.: EWB-R137K  
**Date:** Friday, February 3, 2023 1:30:16 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Thanks for the follow up, Mr. Sullivan.

Yes, the “project” would in your example constitute a raze and be subject to needing a raze permit in addition to any Building permits issue for demolition. We have followed this logic on scores of SWO cases over the years.

Best,

**Garret Whitescarver** | Chief Building Official, Office of Construction and Building Standards

The Department of Buildings

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**From:** Martin Sullivan <[msullivan@sullivanbarros.com](mailto:msullivan@sullivanbarros.com)>

**Sent:** Friday, February 3, 2023 11:34 AM

**To:** Whitescarver, Clarence (DOB) <[clarence.whitescarver@dc.gov](mailto:clarence.whitescarver@dc.gov)>; DCRACS (DCRA) <[dcracs@dc.gov](mailto:dcracs@dc.gov)>

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Thank you Mr. Whitescarver,

Just to clarify, (for an interior row with party walls), if I demolish the front façade one month, rebuild it, and then demolish the rear wall the next month, that’s a raze and that would require a raze permit?

Board of Zoning Adjustment  
District of Columbia  
CASE NO.20921  
EXHIBIT NO.2H

Thanks!

Regards,  
Marty Sullivan  
Sullivan & Barros, LLP  
1155 15<sup>th</sup> St NW, Suite 1003  
Washington, DC 20005  
202-503-1704

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**From:** Whitescarver, Clarence (DOB) <[clarence.whitescarver@dc.gov](mailto:clarence.whitescarver@dc.gov)>  
**Sent:** Friday, February 3, 2023 8:46 AM  
**To:** Martin Sullivan <[msullivan@sullivanbarros.com](mailto:msullivan@sullivanbarros.com)>; DCRACS (DCRA) <[dcracs@dc.gov](mailto:dcracs@dc.gov)>  
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Good morning, Mr. Sullivan.

We are alert to permit applicants trying to piecemeal permits in order to avoid triggering a raze. I suppose over an exceptionally long period of time (years) one could possibly perform a series of demos and reconstructions that ultimately would constitute a defacto raze, without regulatory consequences, but any one project that attempts such a move is in jeopardy of being hit with a SWO and being required to pull a raze permit before proceeding (long delays likely). We commonly issue such SWOs when we see that the front and rear walls of a middle of the row home have been demo'ed, regardless of the existence of piecemealed permits.

Raze is defined in code as complete removal of a structure to grade, with or without removal of a basement. Once that is effectively done on a project a raze permit is triggered.

I hope that helps.

**Garret Whitescarver** | Chief Building Official, Office of Construction and Building Standards

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**From:** Martin Sullivan <[msullivan@sullivanbarros.com](mailto:msullivan@sullivanbarros.com)>

**Sent:** Friday, February 3, 2023 4:44 AM

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**Subject:** RE: FW: FW: B2210201 | 113 18th ST SE | Clarification of Zoning HFC - Reference No.: EWB-R137K

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Hi Mr. Bolden,

I don't mean to belabor this. I just wanted to ask for clarification – this would be helpful to know for other projects. As a raze did not occur in this situation because the front demo and rear demo did not happen all at once, then no raze permit would have been required I assume. No raze = no raze permit required.

So going forward, for an interior row, if an owner demolishes a front façade, and rebuilds a portion of that façade before demolishing the rear façade, or vice versa, they would not need to obtain a raze permit for that work.

Is that correct?

Thank you!

Regards,  
Marty Sullivan  
Sullivan & Barros, LLP  
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**From:** Customer Service <[dcracs@dc.gov](mailto:dcracs@dc.gov)>

**Sent:** Thursday, February 2, 2023 3:43 PM

**To:** Martin Sullivan <[msullivan@sullivanbarros.com](mailto:msullivan@sullivanbarros.com)>

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**Subject:** Re: FW: FW: B2210201 | 113 18th ST SE | Clarification of Zoning HFC - Reference No.: EWB-R137K



**Reference No.: V6V-RR8H5**

Good afternoon Mr. Sullivan,

This matter has been thoroughly discussed, OZA has met internally and OZA has met with the Owner and the Design staff to state our position on this matter. The Zoning Administrator has determined that demoing a building in phases is NOT A RAZE. Our position on this matter is settled. The property is in violation.

This has been expressed to the owner in writing and verbally in a meeting on 1-27-22.

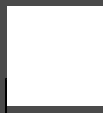
If you wish to appeal the Zoning Administrator's Decision please following the instructions at the this link: [Appeals | dcoz](#)

Regards,

**Tarek Bolden**

Program Analyst | Zoning Compliance Division | Office of the Zoning Administrator  
Department of Consumer and Regulatory Affairs

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